Case 2:21-bk-18205-DS Doc 505 Filed 07/12/23 Entered 07/18/23 13:27:06 Desc Main Document Page 1 of 21



Greetings Judge Deborah J. Saltzman, In Camera.

A HIGH PREROGATIVE WRIT OF MANDATE

SETTLEMENT PLAN

[unredacted - original]

in support of Edward Roark Schwagerl, Interested Party, "Roark"s motion for confirmation of plan dated July 10, 2023 filed with this court [Case No.: 2:21-bk-18205, CRESTLLOYD, LLC, debtor]

Wherefore, Roark is at all times clothed in ancient prerogative powers devolved from kings, and, that Kings Maxims stipulate that the king's title is always perfect, that laches do not lie against the king, that a king suffers no minority;

Wherefore, Roark is at all times clothed in ancient prerogative powers; and he stands on the throne of his ancestors at all times relevant as early as 1776 on this Land as a successor Israelite promisee to the God of Moses, the Promisor;

Wherefore, Roark marshals according to doctrine a fund arising from equitable conversion of specific performance shown in the confidential record displayed in this table of res, "Fund" and that said fund can be reached only by Roark and that out of said fund Roark satisfies the other parties without prejudice or inequity to third parties, and that this court does at all times invoke said doctrine of marshaling, subrogation, equitable conversion of equitable assets;

Wherefore, the marshaling arises from rules of equity tracing and equitable conversion upon the tax tender deposits, their writs and indentured instructions shown below in "Master Table of Res" are all included in full and made apart hereof by reference;

Wherefore, maxims of equity, won't allow a trust to fail for want of trustee and the beneficiary is the true owner, that under a contest of equities the superior and prior equity shall prevail;

Wherefore, the surety pays the debts in full, and reimburses co-sureties, the surety becomes the subrogee and by operation of law an assignment of collateral and legal estates flow to subrogee as a natural justice recognized by this court of equity;



Wherefore, every deposit is a direct trust;

Wherefore when there's a conflict between the rules of equity and rules of law over the same subject matter the rules of equity shall prevail;

Wherefore pursuant to the doctrines and rules of bankruptcy the time for exclusivity period to file a plan by the Debtor is expired and the window for any Interested Party may file said Plan;

Wherefore the above, and that the power of sureties is stipulation, Roark orders and commands and order for confirmation of plan incorporating the following stipulations:

- 1. That the Case be Sealed to protect the trade secret, confidential, private & proprietary intellectual property, methods and modes belonging to Roark, that Publication of the case be Injuncted, that the plan be protected from disclosures to protect its private nature and character.
- 2. That Roark binds himself to confidentiality of redacted, proprietary, and personal materials, all under seal, and at all times avails himself of this affirmative defense, specifically all in chamber paperwork, the handwriting, ink, are claimed as private intellectual property, and marked "Confidential" for this in chamber business.
- 3. That the below schedule of disbursements "Disbursements" from Fund occur upon the Judge's order for confirmation of plan;
- 4. That Roark be vested with estate in possession, entry and occupancy.
- 5. That "The One Bel Air LLC, a Delaware Limited Liability Company", along with its associated property Tax Receipt and Recorder's cost receipts, belong to Roark; and, once all legal and equitable interest in said LLC be assigned, conveyed and recognized in favor of Roark, that all outstanding beneficial interest in said LLC be in favor of Roark.
- 6. That Deposit Slip 1 and Deposit Slip 2 be enforced and that both Routing and Account numbers transmit to Roark and his financial interests, residual, reversionary, remainderman tax payment deposits therewith on nonreservable deposit with the U.S. Treasury at the Federal Reserve System, enclosed herewith.
- 7. That the court render an account for adoption by Roark's fiat that it be comprehensive, consolidated and easy to understand and sent to: Edward Roark Schwagerl, in care of 525 main street, #120353, Saint Paul, Minnesota. 55112.

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Γ			EFFECTIVE		
	Item	TRUST RES TRACER	EFFECTIVE TRANSFER POSTMASTER DATE	Description (Confidential – Proprietary)	*Trustee – EXPRESS, IMPLIED, RESULTING
A	Deposit Direct Trust	RR662692550US-32.1.1 thru 1.6	RE637835923US, February 23, 2022	Original Tender, Audit Order, Tax Assessment, Instrument of Credit Docket 133	*** US Trustee Noreen A. Madoyan
В	Letter of Wishes	RR662692550US-32.1.10	7021 0350 0000 0708 8692, March 24, 2022	Letter of Wishes, Docket 221	Unknown
С	Deposit Direct Trust	RR662692550US-32.1.9	EJ926146020US, August 3, 2022	August 3, 2022, Audit Order, implied contractor relations, CUSIP Tax Assessment W4	*** US Trustee Noreen A. Madoyan
D	Motion for Final Decree	RR662692550US-32.1.8	EJ942469845US, October 4, 2022	Motion for Final Decree, Docket 429 September 7, 2022	*** US Trustee Noreen A. Madoyan
E	Deposit Direct Trust	RR662692550US-32.1.7 / RE637635923US-32.1.8	RE637836190US, March 27, 2023	NONRESERVABLE ALLONGE ENDORSEMENT TAX PAYMENT TREASURY DEPOSIT	*** US Trustee Noreen A. Madoyan
F	Deposit Direct Trust	RR662692550US-29.858 (SEALED REGISTERED SECURITY) RR662692550US-32.11 Proclamation	EJ926144823US, April 5, 2023	NONRESERVABLE ALLONGE ENDORSEMENT TAX PAYMENT TREASURY DEPOSIT Surcharging/Falsifying RE637836190US \$-72 billion + \$-72 BILLION new deposit = \$-144 billion	*** US Trustee Noreen A. Madoyan
G	Demesne Order Deposit	RR662692550US-32-1.9	EJ926144868US, April 19, 2023	Demesne Private Estate	*** US Trustee Noreen A. Madoyan
Н	Direct Trust Transfer Agent Order	RR662692550US-32.2.1-3	EJ911541465US, May 22, 2023	TRANSFER ORDER TO TDA the "Bills"	*unknown
I	Deposit Direct Trust Transfer Agent Order	RR662692550US-32.2.1	EJ911541457US, May 22, 2023	Transfer Order to TDA "bank accounts"	**US Trustee Noreen A. Madoyan
J	Deposit Direct Trust Transfer Agent Order	RR662692550US-32.2.2	EJ926144871US, May 22, 2023	Transfer Order to TDA "bank accounts" Tax parcel id# 44369026021	** Theodore Lanes, Receiver
K	Personal Delivery	RR662692550US-32.2.4	Personal – Chambers	Receiver Grantor Deed March 2022, LA Country Recorder's #20220355015	Theodore Lanes , Receiver- Grantor is trustee





					Unknown grantee passive trustee
L	Personal Tender Gold Coin Ten Dollars	RR662692550US-33	Personal - Evidentiary Hearing In Camera June 22, 2023	Trust Indenture by Settlor	*** US Trustee Noreen A. Madoyan

Schedule of Disbursements from Marshalled Fund By Roark Subrogee

	Disbursement Action	Amount, United States Dollars converted from Tax Credits in The Fund	Brief Description
1	Credit Transfer To Court Deposit Slip 2	\$303,750,000.00	For "The One" Estate, possession, control & title of all outstanding interests in "The One Bel Air LLC", or, Receiver-Grantor revokes and reconveys. ALL CREDITORS ARE SUBROGORS AND MADE WHOLE
2	Credit Transfer Deposit Slip 2	\$100,000,000.00	To Crestlloyd LLC, discharge from Bankruptcy protection
3	Credit Transfer Deposit Slip 2	\$146,000,000.00 Approximation.	Reimbursement co-surety under principle of contribution, Richard Saghian, Confirmation of Auction of record, At the discretion of the Judge under the rules of equity, good reason, complete justice.
4	Credit Transfer Deposit Slip 2	3 per centum transaction costs to the court – clerk's office	At the discretion of the Judge under the rules of equity, good reason, complete justice.
5	Credit Transfer Deposit Slip 1	Balance, remainderman, reversionary, residuum of Fund	to Edward Roark Schwagerl, under the protection of the court, tax credits converted to Federal Funds in No. 6.
6	Credit Transfer Deposit Slip 2	10 per centum Federal Reserve Cost to convert Tax	Converting No. 5 from Tax Credits to Federal Funds. in trust with court to remit to Federal Reserve.

2,1,5



		Credits to Federal Funds	
7	Redemption by Tax-Securities Transfer Agent	and Bank Accounts	Securities Redemption by Transfer Agent to Treasury Direct, See Table of Res 32.2.4 & 32.2.1

I avail myself of this occasion to convey the good faith assurances of my most distinguished consideration.

Respectfully Submitted,

Edward Roark Schwagerl, Interested Party <u>rr662692550us29trust@gmail.com</u>

612.720.3784

d/b/a EDWARD R SCHWAGERL

Authorized Representative for Taxpayer

Edward R Schwagerl.

In Care of: Post Office Box 120353, New Brighton, Minnesota. 55112. United States

Schwagerl

of America.

[seal]

DEPOSIT SLIP 1
Edward Roark Schwagerl
Banking Institution
525 Main Street, Unit 120352
Saint Paul, Minnesota. 55112.

July 10, 2023

NONRESERVABLE FEDERAL RESERVE CASH MANAGEMENT ACCOUNT:
Edward Roark Schwagerl, nonreservable U.S. Treasury account at the Federal
Reserve

Account Number: TBD Account Routing Number: TBD

(All dollar amounts in United States Dollars \$U.S.)

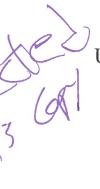
DEPOSIT SLIP 2
Edward Roark Schwagerl
Banking Institution
525 Main Street, Unit 120352
Saint Paul, Minnesota. 55112.

JULY 10, 2023
ACCOUNT: UNITED STATES BANKRUPTCY COURT
DISTRICT OF CENTRAL CALIFORNIA
REMITTER: Edward Roark Schwagerl, beneficiary

(All dollar amounts in United States Dollars \$U.S.)

RELEASE TO UNITED STATES 50% OF DEPOSIT FOR DISSOLUTION OF
IMPLIED PARTNERSHIP
THE ONE BEL AIR LLC"
TAX DEPOSIT PAYMENT TO CRESTLLOYD LLC FOR DISCHARGE FROM BK
100,000,000.00
TAX DEPOSIT PAYMENT TO RICHARD SAGHIAN, INTERESTED PARTY, CO-
SURETY, REIMBURSMENT
3% TO COURT FOR TRANSACTION COSTS
10% FROM TAX CR TO FED FUNDS
, , , , , , , , , , , , , , , , , , , ,
Total Deposit Slip 2

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UNITED STATES BANKRUPTCY COURT DISTRICT OF CENTRAL CALIFORNIA

Case No.: 2:21-bk-18205

In re: CRESTLLOYD, LLC, debtor

NOTICE OF AND MOTION FOR CONFIRMATION OF PLAN

This serves as actual and constructive notice to all persons and to the above Debtor in this matter that Edward Roark Schwagerl, Interested Party, files his confirmation of plan redacted with the court, and files an unredacted copy under seal with the court at Chambers pursuant to rule 9037, to wit:

"Rule 9037 of the Federal Rules of Bankruptcy Procedure provides for the privacy protection of filings made with the court, including redaction of certain information. The rule allows for the court to require additional redaction or limit remote electronic access to a filing if necessary. Additionally, an entity making a redacted filing may also file an unredacted copy under seal, which will be retained by the court as part of the record."

This notice and motion are in compliance with, including but not limited to, the rules governing exclusivity periods ordered by the court in pursuit of 11 U.S. Code § 1121.

Respectfully submitted,

Edward Roark Schwagerl, Interested Party.

Edward Roark Schwagerl (62cv173317).

Authorized Representative for Edward R. Schwagerl, Attorney In Fact.

In Care of: #120353, RR C770 – 78, Saint Paul, Minnesota, zip exempt.

Tel. +1 (612) 424-9660; Email: private9660@docs.simplywise.com

UNITED STATES BANKRUPTCY COURT DISTRICT OF CENTRAL CALIFORNIA

Case No.: 2:21-bk-18205

In re: CRESTLLOYD, LLC, debtor

Motion For Confirmation of Plan

WITHOUT WAIVING any right, remedy, or defense, whereas I, Edward Roark Schwagerl, "Interested Party", sui juris, pro per, at all times clothed in prerogative powers, am competent to handle my own affairs, with intent and purpose as Grantor/Settlor[1] of a trust filed, now coming as the beneficiary in the above named bankruptcy action in good faith at will respectfully moves this court of equity for and order confirmation his settlement plan, hereinafter "Plan," a redacted version filed with the clerk's office here, and an unredacted version filed under seal with the court at Judge's chamber. The grounds upon which this plan should be confirmed is soundly expounded in the maxim of equity, to wit "In a contest of equities, the superior and prior equity shall prevail."

Pursuant to 11 U.S. Code § 1121 the exclusivity period for the Debtor to file a plan has expired. The Debtor has not filed a plan within the specified timeframe, thereby allowing any interested party to propose an alternative plan.

This proposed Plan is equitable and just as it makes whole all parties according to conscience and rules of equity; the Plan is special, private, proprietary, personal and trade secret therefore this Plan is subject to the above referenced rules of redaction shown here, and filed under seal with the court at Chambers accordingly.

Notice of this Motion for Confirmation of Plan has been duly served to the Debtor in accordance with the applicable rules of this Court.

A hearing for this motion shall be scheduled if necessary.

Edward Roark Schwagerl, Interested Party, requests for Confirmation by emphasizing the positive impact it will have on the Debtor's financial rehabilitation and the fair treatment of all creditors and co-sureties.

Based on the foregoing, I respectfully request this honorable Court to confirm the proposed plan and issue an order to that effect. This plan is in the best interests of all parties involved and will allow for a successful resolution of this bankruptcy case.

Thank you for your attention to this matter. Please let me know if the Court requires any additional information or documentation supporting this Motion for Confirmation of Plan.

Respectfully submitted,

Edward Roark Schwagerl, Interested Party.

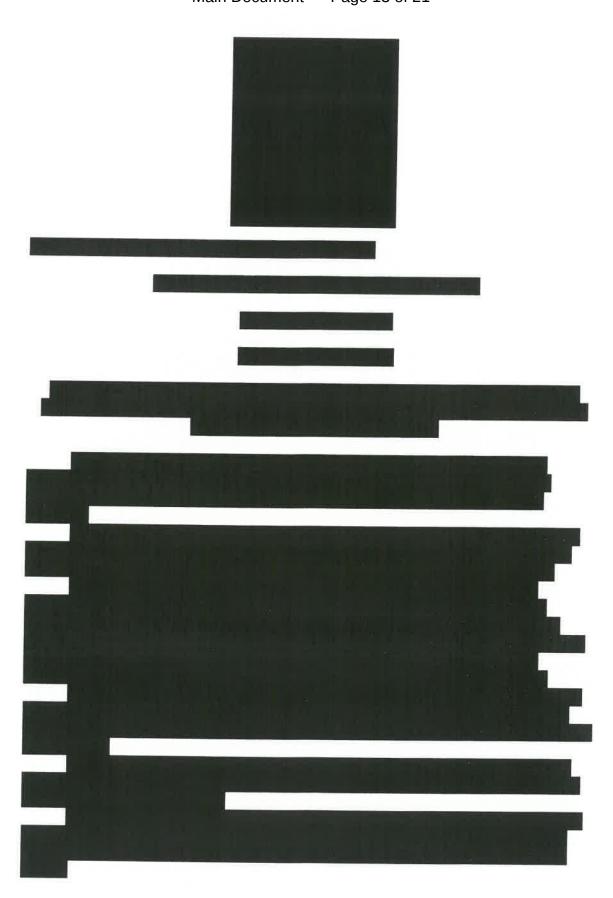
Edward Roark Schwagerl (62cv173317).

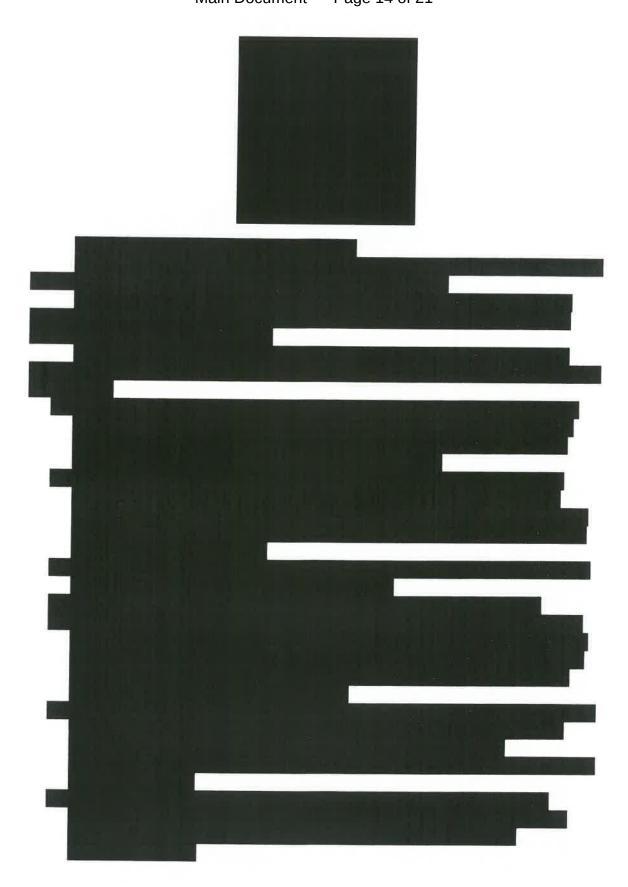
Authorized Representative for Edward R. Schwagerl, Attorney In Fact. d/b/a Edward Roark Schwagerl, Minn. Stat. 333. File No. 855878600029. In Care of: #120353, RR C770 – 78, Saint Paul, Minnesota, [zip exempt].

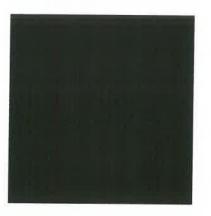
Tel. +1 (612) 424-9660; Email: <u>private9660@docs.simplywise.com</u>

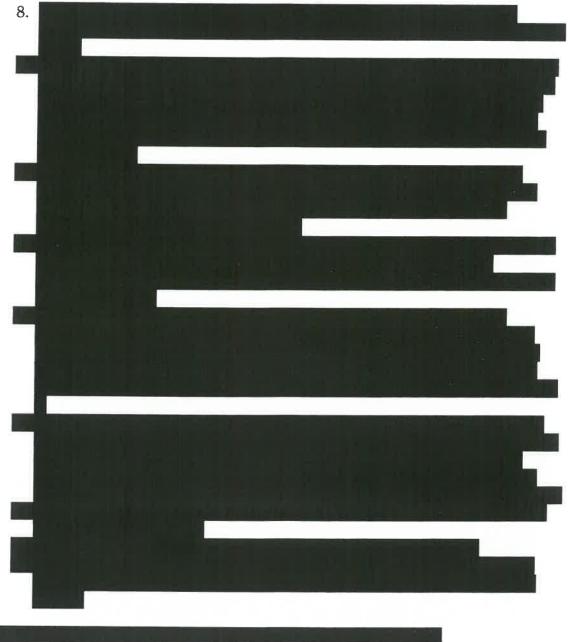
Enclosure: Redacted Plan

Certificate of Service

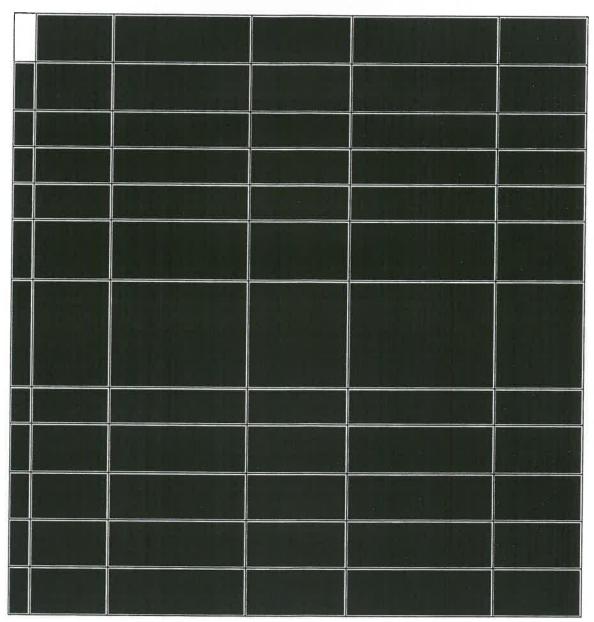






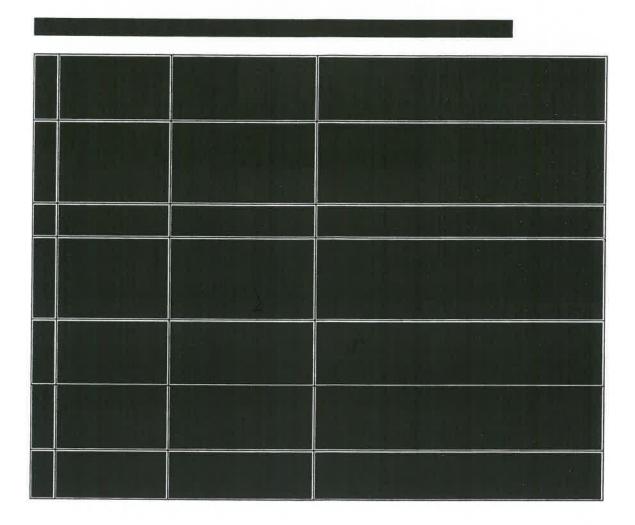


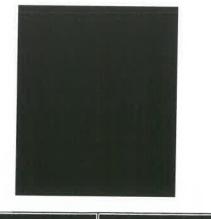


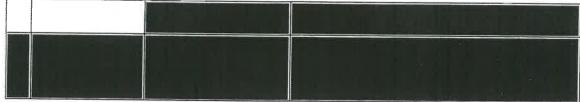










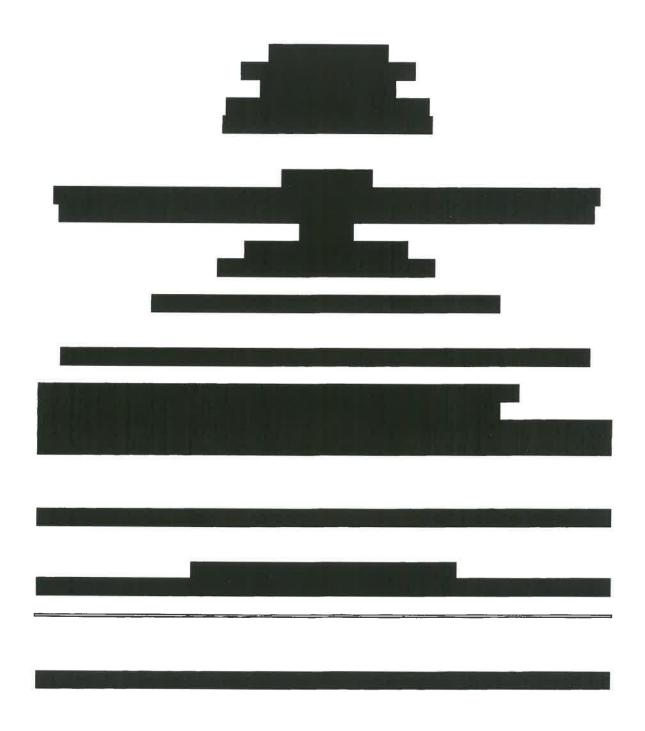


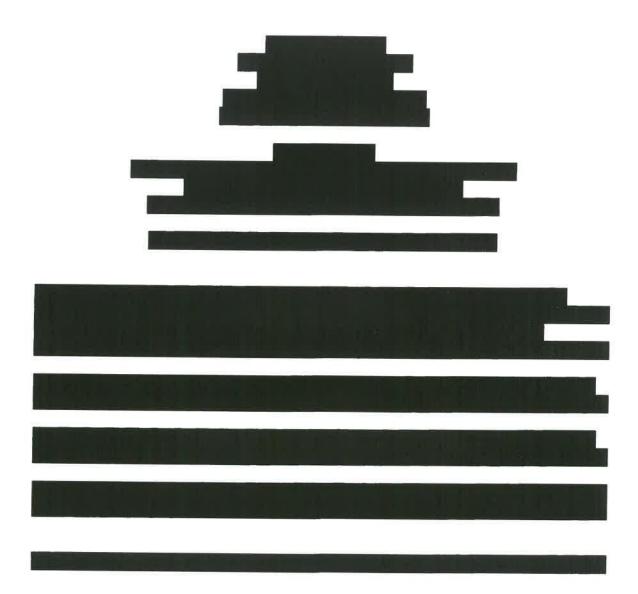
I avail myself of this occasion to convey the good faith assurances of my most distinguished consideration.

Respectfully Submitted,

Edward Roark Schwagerl, Interested Party rr662692550us29trust@gmail.com
612.720.3784
d/b/a EDWARD R SCHWAGERL
Authorized Representative for Taxpayer Edward R Schwagerl.
In Care of: Post Office Box 120353, New Brighton, Minnesota. 55112. United States of America.

[seal]





UNITED STATES BANKRUPTCY COURT DISTRICT OF CENTRAL CALIFORNIA

Case No.: 2:21-bk-18205

In re: CRESTLLOYD, LLC, debtor

CERTIFICATE OF SERVICE

Without waiving any right, remedy or defense, I, the below-named Edward Roark Schwagerl, Interested Party, certify that on July 10, 2023, I placed an original version of the attached document in a sealed envelope and deposited it with an official United States Postal Clerk, personally, for mailing no later than July 10, 2023, and delivery for next business day that is not a court-observed holiday, in the United States mail, first class, priority express mail number EI231410540US, postage prepaid, and addressed as follows:

David Golubchik d/b/a Attorney at Law Attorney for Crestlloyd LLC 2818 LA CIENEGA AVENUE, LOS ANGELES, CA 90034

Signature: /s/Edward Roark Schwagerl, Interested Party. Date: July 10, 2023.

Edward Roark Schwagerl (62cv173317)

d/b/a file

Authorized Representative for Edward R. Schwagerl.

Attorney In Fact

In Care of: #120353, RR C770 – 78, Saint Paul, Minnesota, zip exempt.

Tel. +1 (612) 424-9660

Email: private9660@docs.simplywise.com